

01.02.2023
Serial no. 24
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 404 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Mahisadal** Police Station Case No. **404** of **2022** dated **21.11.2022** under Sections **448/341/323/307/427/506/34** of the Indian Penal Code.

-And-

In the matter of : **Purnima Saha Khanra & Ors.**
... .. **Petitioners**

Ms. Pampa Dey Dhabal,
Mr. Nikhil Kr. Gupta , Advocate
... .. *For the Petitioners*

Md. Kutubuddin, Advocate
... ..*For the State*

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that two separate police cases were initiated in respect of the same incident. She draws the attention of the Court to an order dated January 31, 2023 passed in CRM(A) 395 of 2023 where, some accuseds in the other police case were enlarged on anticipatory bail.

Learned advocate appearing for the State draws the attention of the Court to the contents of the case dairy including the injury report of the victim and to the police complaint.

The injured lodged the police complaint. The injury report of the injured does not suggest that the injured suffered grievous hurt. Apparently, the incident arose out of property disputes. There is a civil suit pending between the private parties.

In such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no. 2 shall report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner nos. 1 and 3 shall cooperate with the investigation till its completion and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 404 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)